

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**TERE NANCE, individually and
as Special Administrator of the
Estate of Alexandra Nance,
deceased, et al.,**

Plaintiffs,

v.

**ADAM SCOTT TAULBEE, individually and
as police officer for the City of O'Fallon,**

Defendant.

No. 12-cv-1144-DRH-DGW

ORDER

HERNDON, Chief Judge:

Pending before the Court is plaintiffs' motion to voluntarily dismiss Craig Nance (Doc. 14). Plaintiffs seek an Order dismissing plaintiff Craig Nance pursuant to Rule 41(a)(2), as plaintiff Craig Nance has refused to cooperate in the prosecution of this action. Plaintiffs state that the dismissal of plaintiff Craig Nance as a party will not affect his ability to recover under the Illinois Wrongful Death Act. Defendants have filed a stipulation demonstrating they do not object to plaintiff Craig Nance's dismissal without prejudice (Doc. 14-1). For the reasons stated in plaintiffs' motion, said motion is **GRANTED** (Doc. 14). Thus, Craig Nance is dismissed as a party plaintiff from this action **without prejudice**.

IT IS SO ORDERED.

Signed this 16th day of January, 2013.

David R. Herndon



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**Chief Judge
United States District Court**